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Ø 001 1 LATHAM & WATKINS LLP Daniel Scott Schecter (Bar No. 171472) Fron Dwid G. Colin B. Vandell (Bar No. 240653) 633 West Fifth Street, Suite 4000 Los Angeles, California 90071-2007 Telephone: (213) 485-1234 Facsimile: (213) 891-8763 5 Email: daniel.schecter@lw.com Attorneys for Defendant Apple, Inc. 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA 9 10 TOMMY DUNBAR and JAMES Case No. C 07-2758 WDB 11 GANGWER, 12 Plaintiffs, FIRST AMENDED STIPULATION TO EXTEND TIME TO ANSWER 13 14 V. [N.D. Cal. Local Rule 6-1(a)] 15 LUCASZ GOTTWALD (aka Dr. 16 Luke), AVRIL LAVIGNE, KASZ MONEY PUBLISHING, AVRIL 17 LAVIGNE PUBLISHING LLC, ALMO MUSIC CORP., RCA 18 RECORDS, and APPLÉ, INC., 19 Defendants. 20 21 22 23 24 25 26 27 28 LATHAM&WATKINS-- LA\1755352.1 ATTORNETS AT LAW 1 LOS ANGELES

Plaintiffs Tommy Dunbar and James Gangwer and Defendant Apple, 1 Inc. hereby stipulate through their respective counsel of record as follows: 2 Pursuant to Local Rule 6-1(a), Apple Computer, Inc. shall have a two-3 week extension of time, to August 16, 2007, to respond to Plaintiffs' complaint. 4 5 6 LATHAM & WATKINS LLP Daniel Scott Schecter 7 Colin B. Vandell 8 By: 9 Colin B. Vandell 10 Attorneys for Defendant Apple, Inc. 11 DATED: August \perp , 2007 PHILLIPS, ERLEWINE & GIVEN LLP 12 Nicholas A. Carlin David M. Given 13 Spencer M. Martinez 14 15 16 David M. Given 17 Attorneys for Plaintiffs Tommy Dunbar and ames Gangwer 18 19 20 21 22 23 24 25 26 27 28 LATHAMAWATKINS ... LAN1755352.1 TORNEYS AT LAW LOS ANGELES 1